

On May 11, 1929, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16489. Adulteration and misbranding of standard middlings. U. S. v. 1400 Sacks of Stock Feed. Consent decree of condemnation. Product released under bond. (F. & D. No. 23848. I. S. Nos. 013351, 013352, 013353. S. No. 1480.)**

On December 21, 1928, the United States attorney for the Southern District of Mississippi, acting upon a report by the Commissioner of Agriculture of the State of Mississippi, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1,400 sacks of stock feed, remaining in the original unbroken packages at Jackson, Miss., alleging that the article had been shipped by the Hogan Feed Mill Co. (Inc.) (Hogan Millfeed Co.), Kansas City, Mo., on or about December 1, 1928, and transported from the State of Missouri into the State of Mississippi, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article had been invoiced as standard middlings.

It was alleged in the libel that the article was adulterated in that it was an admixture of ground bran, ground screenings, ground limestone and flour, which said admixture had been substituted wholly and in part for the article.

Misbranding was alleged for the reason that the article was an imitation of and had been offered for sale under the distinctive name of another article, to wit, standard middlings, and for the further reason that it was in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages in terms of weight, measure, or numerical count.

On or about January 3, 1929, the Hogan Millfeed Co., Kansas City, Mo., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$4,000, conditioned in part that it should not be used, sold, or disposed of contrary to law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16490. Adulteration of chickens. U. S. v. 2 Boxes, et al., of Chickens. Consent decree of condemnation and destruction. (F. & D. Nos. 22885, 22887. I. S. Nos. 02805, 02806. S. Nos. 952, 953.)**

On July 19, 1928, the United States attorney for the Northern District of New York, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 2½ boxes of chickens at Albany, N. Y., alleging that one-half box of the article had been shipped by Priebe & Son, from Chicago, Ill., in interstate commerce into the State of New York, on June 23, 1928, and that 2 boxes thereof were shipped by the F. M. Stamper Co., from Fayette, Mo., in interstate commerce into the State of New York, on July 3, 1928, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article contained in the said 2 boxes was adulterated in violation of section 7 of the act, paragraph 6, in the case of food, in that the contents of the said 2 boxes showed the presence of tubercular disease, and consisted in part of a product of a diseased animal and of a portion of an animal unfit for food. Adulteration was alleged with respect to the portion of the article contained in the said one-half box for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance, and in that it was a product of a diseased animal and of an animal unfit for food.

On September 13, 1928, Wilson & Co., Albany, N. Y., having voluntarily intervened and consented to the entry of a decree, judgment of condemnation was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16491. Adulteration of butter. U. S. v. 36 Cubes of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23033. I. S. No. 053. S. No. 981.)**

On July 16, 1928, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and